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Atty. Dkt. No. 045952-0120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph PANDOLFINO
Title: REDUCED-EXPOSURE TOBACCO PRODUCTS
Appl. No.: 10/568,290
International Filing Date: 8/18/2004
Filing Date: 02/17/2006
371(c) Date:
Examiner: Unassigned
Art Unit: Unassigned
Confirmation Number: 3390

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date 10 October 2006

By S.A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

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Substitute for form 1449B/PTO				Complete if Known	
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				Group Art Unit	Unassigned
				Examiner Name	Unassigned
(use as many sheets as necessary)				Attorney Docket Number	045952-0120
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5 803 081		REGENT COURT TECHNOLOGIES	9/8/1998	
	A2	5 845 647		REGENT COURT TECHNOLOGIES	12/8/1998	
	A3	6 135 121		REGENT COURT TECHNOLOGIES	10/24/2000	
	A4	6 202 649	B1	REGENT COURT TECHNOLOGIES	3/20/2001	
	A5	6 311 695	B1	REGENT COURT TECHNOLOGIES	11/6/2001	
	A6	6 338 348	B1	REGENT COURT TECHNOLOGIES	1/15/2002	
	A7	6 350 479	B1	REGENT COURT TECHNOLOGIES	2/26/2002	
	A8	6 425 401	B1	REGENT COURT TECHNOLOGIES	7/30/2002	
	A9	Re 38123 E		REGENT COURT TECHNOLOGIES LLC	5/27/2003	
	A10	6 569 470	B2	REGENT COURT TECHNOLOGIES LLC	5/27/2003	
	A11	6 100 448		NORTH CAROLINA STATE UNIVERSITY	8/8/2000	
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	A16	5 260 205		PHILIP MORRIS INCORPORATED	11/9/1993	
	A17	5 369 023		PHILIP MORRIS INCORPORATED	11/29/1994	
	A18	5 668 295		PHILIP MORRIS INCORPORATED	9/16/1997	
	A19	4 830 028		R.J. REYNOLDS TOBACCO COMPANY	5/16/1989	
	A20	4 836 224		R.J. REYNOLDS TOBACCO COMPANY	6/6/1989	
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	A24	6 534 527	B2	PHYTON INC.	3/18/2003	
	A25	3 258 015		Charles Drummond ELLIS et al.	6/28/1966	
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	A27	4 987 071		UNIVERSITY PATENTS INC.	1/22/1991	
	A28	5 589 367		BIOSOURCE TECHNOLOGIES INC.	12/31/1996	
	A29	5 583 032		THE CLEVELAND CLINIC FOUNDATION AND NATIONAL INSTITUTE OF HEALTH	12/10/1996	
	A30	5 580 967		THE SCRIPPS RESEARCH INSTITUTE	12/3/1996	
	A31	5 591 601		OHIO UNIVERSITY EDISON ANIMAL BIOTECHNOLOGY INSTITUTE	1/7/1997	
	A32	5 622 854		RIBOZYME PHARMACEUTICALS INC.	4/22/1997	
	A33	5 272 065		RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK	12/21/1993	
	A34	3 991 772		SMITHERM INDUSTRIES INC.	11/16/1976	
	A35	4 340 073		PHILIP MORRIS, INCORPORATED	7/20/1982	
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	A39	4 182 349		KIMBERLY-CLARK CORPORATION	1/8/1980	
	A40	4 962 774		R.J. REYNOLDS TOBACCO COMPANY	10/16/1990	

Examiner Signature

Date Considered

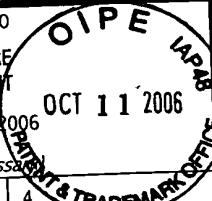
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		U.S. Patent Document			
A41	6 761 175	B2	JAPAN TOBACCO COMPANY et al.	7/13/2004	
A42	4 289 147		LEAF PROTEINS INC.	9/15/1981	
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A48	6 037 525		NORTH CAROLINA STATE UNIVERSITY	3/14/2000	

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	A49	WO	98/56923	NORTH CAROLINA STATE UNIVERSITY	12/17/1998
	A50	WO	00/67558	Michael TIMKO	11/16/2000
	A51	WO	03/013226	A2 CIBUS GENETICS	2/20/2003

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	A52	Action on Smoking and Health – March 2006 Factsheet No: 18, The UK tobacco industry.			
	A53	"Clearing the Smoke – Assessing the Science Base for Tobacco Harm Reduction", (IOM Report), Institute of Medicine, Washington DC: National Academy Press, 2001.			
	A54	Dietrich HOFFMANN et al., "The Changing Cigarette: Chemical Studies and Bioassays", Chapter 5, Smoking and Tobacco Control Monograph No. 13, NIH Pub. No. 02-5074, October 2001, pp. 159-192.			
	A55	Gio Batta GORI, "Virtually Safe Cigarettes Reviving an Opportunity Once Tragically Rejected", Health Policy Center, Bethesda, MD., 2000.			
	A56	J.C. LEFFINGWELL, Chapter 8, Leaf Chemistry, Tobacco: Production, Chemistry and Technology, pp. 275-276, 1999.			
	A57	Lynn T. KOZLOWSKI et al., "Cigarette Design", Chapter 2, 11/19/2001, pp. 13-38.			
	A58	C.W. BACON et al., "Chemical Changes in Tobacco during Flue-Curing", INDUSTRIAL AND ENGINEERING CHEMISTRY, February 1952, pp. 292-296.			
	A59	Subparagraph (A), FEDERAL CIGARETTE LABELING AND ADVERTISING ACT, 89 th Congress 1st Session, Report No. 449, pp. 1-21.			
	A60	Neil D. WEINSTEIN, "Public Understanding of Risk and Reasons for Smoking Low-Yield Product", Chapter 6, 11/19/01, pp. 193-198.			

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T6
	A61	Gio B. GORI, "Consumer Perception of Cigarette Yields: Is the Message Relevant?", REGULATORY TOXICOLOGY AND PHARMACOLOGY, 12, pp. 64-68, (1990).	
	A62	J.L. WHITE et al., "Effect of pyrolysis temperature on the mutagenicity of tobacco smoke condensate", Food and Chemical Toxicology 39, (2001), PP. 499-505.	
	A63	Neil L. BENOWITZ, "Compensatory Smoking of Low Yield Cigarettes", Smoking and Tobacco Control Monograph No. 13, Chapter 3, 11/19/01, pp, 39-63.	
	A64	E.A. WERNSMAN et al., "TOBACCO", Principles of Cultivar Development, Vol. 2, Chapter 17, Crop Species Ed. W.R. Fehr, Macmillan, New York 1987, pp. 669-699.	
	A65	Gio Batta GORI, "Less-Hazardous Cigarettes, the Case for Hastening Their Regulation and Promotion", TOBACCO REPORTER, June 2004, pp. 30-34.	
	A66	Michael A.H. RUSSELL, "The Case for Medium-Nicotine Low-Tar, Low-Carbon Monoxide Cigarettes", Banbury Report A Safe Cigarette, 1980, pp. 297-310.	
	A67	"Shameful science: four decades of the German tobacco industry's hidden research on smoking and health", Tobacco Control 2000: 9, pp. 242-247.	
	A68	Yupunn CHINTAPAKORN et al., "Antisense-mediated down-regulation of putrescine N-methyltransferase activity in transgenic Nicotiana tabacum L. can lead to elevated levels of anatabine at the expense of nicotine", Plant Molecular Biology 53: 87-105, 2003.	
	A69	D.M. PEELE et al., "Formation of tobacco specific nitrosamines in flu-cured tobacco", CORESTA 1999, AGRO-PHYTO Proceedings Suzhou, China, 1999.	
	A70	Gerald P. MORIE, "FRACTION OF PROTONATED AND UNPROTONATED NICOTINE IN TOBACCO SMOKE AT VARIOUS pH VALUES", Tobacco Science, 167, 1972.	
	A71	B.L. MIKI et al., "Procedures for Introducing Foreign DNA into Plants", Methods in Plant Biology & Biotechnology, 1993, pp. 67-88.	
	A72	"Status update of sugar/nicotine balance technology assessment", 1992, RJ Reynolds documents Bates 512842551/2.	
	A73	"Low Delivery Cigarettes and Increased Nicotine/Tar Ratios, A Replication (R2-3537), PHILLIP MORRIS U.S. RESEARCH CENTER, 1975, Bates 2056140416.	
	A74	Siqing SONG et al., "Supercritical Fluid Extraction and Gas Chromatography/Mass Spectrometry for the Analysis of Tobacco-Specific Nitrosamines in Cigarettes", Anal. Chem, 1999, Vol. 71, No. 7, pp. 1303-1308.	
	A75	Molecular Cloning, A Laboratory Manual Second Edition, Cold Spring Harbor Laboratory Press, 1989.	
	A76	Paul D. LEGG et al., "INHERITANCE OF PER CENT TOTAL ALKALOIDS IN NICOTIANA TABACUM L. II. GENETIC EFFECTS OF TWO LOCI IN BURLEY 21 X LA BURLEY 21 POPULATIONS", Can. J. Genet. Cytol. 13: 287-291, 1971.	

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	A77	William L. CLAPP et al., "Reduction in Ames Salmonella mutagenicity of mainstream cigarette smoke condensate by tobacco protein removal", Mutation Research 446 (1999) pp. 167-174.	
	A78	Edward LEETE, "Biosynthesis and Metabolism of the Tobacco Alkaloids – Chapter 3", ALKALOIDS Chemical and Biological Perspectives, Vol. 1, January 25, 1988, pp. 85-152.	
	A79	H.C. PILLSBURY et al., "TOBACCO – Tar and Nicotine in Cigarette Smoke", Journal of the Association of Official Analytical Chemists, Vol. 52, No. 3, May 1969, pp. 458-462.	
	A80	Jed E. ROSE, "THE ROLE OF UPPER AIRWAY STIMULATION IN SMOKING", Nicotine Replacement: A Critical Evaluation, pp. 95-106, 1988.	
	A81	Dietrich HOFFMAN et al., "Origin in Tobacco Smoke of N'-Nitrosonornicotine, a Tobacco-Specific Carcinogen: Brief Communication ^{1,2,3} ", J. NATL CANCER INST, Vol. 58, No. 6, June 1977, pp. 1841-1844.	
	A82	Gio Batta GORI, "Virtually Safe Cigarettes Reviving an Opportunity Once Tragically Rejected", IOS Press, The Netherlands, 2000.	
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	A84	Brown and Williamson Tobacco Company research in the Journal of the American Medical Association, Vol. 274, No. 3, pp. 228, 1995.	
	A85	T. MATSUMOTO et al., "MUTAGENICITIES OF THE PYROLYZATES OF PEPTIDES AND PROTEINS", Mutation Research, 56 (1978) pp. 281-288.	

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